

MINUTES
HENDERSONVILLE REGIONAL PLANNING COMMISSION
TUESDAY, SEPTEMBER 6, 2016
6:30 P. M. – CITY HALL MEETING ROOM

Chairman Bob Freudenthal called the meeting to order at 6:30 p.m. in the City Hall Meeting Room, 101 Maple Drive North, Hendersonville, TN.

ROLL CALL:

Present: Don Ames, Lori Atchley, Mark Bristol, Kee Bryant-McCormick, Bob Freudenthal, David Jenkins, Charles Lea, and Bryant Millsaps. Absent: Frank Pinson and Darlene Stringfellow. Also present: Fred D. Rogers, Jr., Planning Director; Timothy D. Whitten, Landscape Architect/Planner; Keith Free, Senior Planner; Marshall Boyd, City Engineer; Shelley Burwell, Fire Inspector; Darrell Woodcock, Alderman Ward 5; Matt Stamper and Jim Waters, Aldermen Ward 6; and Barbara Story, Temporary.

PUBLIC HEARINGS:

Public Hearing to hear comments on a request by Pulte Homes to approve a Preliminary Development Plan for Norman Creek containing 53 acres. Sumner County Property Tax Map 138, Parcel 26.

Public Hearing to hear comments on a request for closure of street right-of-way adjacent to Lake Harbor Subdivision and Margaret Ann Kosloff property.

REQUEST FOR INFORMATION AND ASSISTANCE: None

ADDITIONS TO AGENDA:

Special Census Report - Keith Free, Senior Planner

Hendersonville Horizon Report – Keith Free, Senior Planner

President of Home Owners Association for Savannah to discuss concerns within the development – 3 Minutes

MINUTES:

MOTION BY Bryant-McCormick, seconded by Ames, to approve the Minutes of Public Hearing of August 2, 2016, on a request by Johnny Lee to rezone of 149 Sanders Ferry Road from Old Town Commercial to Old Town Residential. Ames, Bristol, Bryant-McCormick, Freudenthal, Jenkins and Lea and voted aye. Nay: None. Abstained: Atchley and Millsaps. Absent: Pinson and Stringfellow. Motion carried.

MOTION BY Bryant-McCormick, seconded by Jenkins, to approve the Minutes of Public Hearing of August 2, 2016, on a request by Domus Partners to rezone Parcel 24 from SR-1 to MFR and approve a revised Preliminary Development Plan for Villages of Stoneybrook, Section 1, Phase 5. Ames, Bristol, Bryant-McCormick, Freudenthal, Jenkins and Lea voted aye. Nay: None. Abstained: Atchley and Millsaps. Absent: Pinson and Stringfellow. Motion carried.

MOTION BY Bryant-McCormick, seconded by Jenkins, to approve the Hendersonville Regional Planning Commission Minutes of August 2, 2016. Ames, Bristol, Bryant -McCormick, Freudenthal, Jenkins and Lea voted aye. Nay: None. Abstained: Atchley and Millsaps. Absent: Pinson and Stringfellow. Motion carried.

CONSENT AGENDA ITEMS: None.

FINAL PLATS:

16-090-001: Savannah, Phase 7 – FINAL PLAT: MOTION BY Ames, seconded by Millsaps to defer Savannah, Phase 7, Final Plat until October 4, 2016 Planning Commission Meeting. Planning

Commissioners request that the Creekside Homes developer himself be present instead of Matt Regenold, engineer with Fischer Arnold Engineering, to address the concerns of the current homeowners regarding property maintenance of open space and vacant lots; street signs to conform to original ones installed, metal not stickers; all phases and sections to comply with original covenants and restrictions set forth for original Savannah Subdivision; representation on Board of Directors; notification of Board of Directors' meetings; and accountability of all homeowners fees. Ames, Atchley, Bristol, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: Bryant-McCormick. Absent: Pinson and Stringfellow. Motion carried.

16-092-001: INDIAN LAKE VILLAGE, PHASE 3B, SECTION 2, RESUB. Of LOT 116 – FINAL PLAT: Indian Lake Village, Phase 3B, Section 2, Resub. Of Lot 116-Final Plat was deferred by applicant.

16-093-001: MILLSTONE, PHASE 3, SECTION 2 – FINAL PLAT: MOTION BY Jenkins, seconded by Bristol to approve Millstone, Phase 3, Section 2-Final Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

STAFF COMMENTS

Planning Department

1. The temporary turn around needs to be included within the platted area.
2. Add the C.O.S. behind the lots on the south side of Day Flower as per the August 22 email from Lynn Ealey.

Submitted by Fred Rogers, Director and Keith L. Free, MPA, AICP, Senior Planner (September 1, 2016)

Public Works

1. No comments at this phase.

Submitted by Marshall Boyd, City Engineer (July 29, 2016)

Fire Department

1. No comments at this phase.

Submitted by Shelley Burwell, Fire Inspector (July 28, 2016)

Utility District

1. WHUD

Submitted by David Brigance, HUD Construction Supervisor (July 14, 2016)

MOTION BY Atchley, seconded by Bristol to group and approve the Final Plat and Site Plan for Lake Haven with all staff comments. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Milsaps voted aye. Nay: None. Absent Pinson and Stringfellow. Motion carried.

16-064-001: LAKE HAVEN – FINAL PLAT: MOTION BY Atchley, seconded by Bristol to approve Lake Haven - Final Plat, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

STAFF COMMENTS

Planning Department

1. Dedicate 5 feet of additional Right of Way on Sanders Ferry Road. (The extra 5 ft. is shown on the Site Plan and, on the plat, the Right of Way measures as 30 ft. from centerline, but the 5-ft dedication is not reflected.)
2. Show Sidewalk along Cages Road.
3. Remove Note 9.
4. Remove Note 11.
5. Add note: Sidewalks must be constructed on each lot prior to the issuance of Certificate of Occupancy.

Submitted by Fred Rogers, Planning Director (September 1, 2016)

Public Works

1. No comments at this phase.

Submitted by Marshall Boyd, City Engineer (September 1, 2016)

Fire Department

1. No comment.

Submitted by Shelley Burwell, Fire Inspector (September 1, 2016)

Utility District

1. No comments.

Submitted by David Brigance, HUD Construction Supervisor (July 16, 2016)

PRELIMINARY AND FINAL DEVELOPMENT PLANS:

16-091-001: NORMAN CREEK – PDP: MOTION BY Ames, seconded by Lea , to approve Norman Creek - PDP, with no more than 25% front loaded/recessed garages within the entire development. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

MOTION BY Bryant-McCormick, seconded by Millsaps, to leave the engineering to the developer but require the buffer to be doubled on green space on the west border. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

MOTION BY Millsaps, seconded by Ames to defer Norman Creek-PDP at the request of applicant to give them time to address concerns of residents regarding drainage and flooding, traffic study, design of homes, construction time table, incorporating the above motions and with all other staff comments as listed below. Ames, , Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: Atchley. Absent: Pinson and Stringfellow. Motion carried.

STAFF REPORT:

Norman Creek is located on the east side of Anderson Road just past Autumn Creek and before Fountain Brooke. It was first approved in 2006 as an R-20 PUD. The original plan and the proposed new plan are compared as follows:

	<u>Old</u>	<u>New</u>	<u>SR-1 PD</u>	<u>L.U.P</u>
Acres	94	52	NA	NA
Lots	194	96	NA	NA
Density	2.06	1.86	3	1-4
Minimum Lot Size	9,000	9,000	7,500	NA
Average Lot Size	12,500	10,200	NA	NA
Minimum Lot Width	75	65	60	NA
Open Space	25%	43%	25%	NA

In summary, the new density is less, and there is more open space, but the lots are smaller.

A comparison of other subdivisions in the area:

	Norman Creek	Autumn Creek	Guthrie Place	Fountain Brooke
Density	1.86	2.2	2.2	2.2
Min. Lot Size	9,000	9,000	12,500	8,000
Avg. Lot Size	10,200	15,000	14,000	12,666
Min. Lot Width	65	75-90	80	78
Open Space	43%	8%	14%	23%
Front-Entry Garages	100%	0%	0%	18%
Brick	66%	100%	100%	66%

So, as compared to other subdivisions, the new Norman Creek Plan is less dense and has more open space, but the lots are smaller.

Norman Creek would have less brick than the other subdivisions, but complies with the Zoning Ordinance. Even though design standards have been provided, these standards are very general in nature. See attached. More

details (like Durham) are needed, or, proposed house plans should be submitted for review and approval in order to assure that Norman Creek homes are consistent with the other subdivisions.

In regard to front-entry garages, Section 12.2E2 reads as follows:

Front-entry garage doors for all types of dwellings permitted in all residential planned developments shall conform to design standards as prepared by the developer and approved by the Planning Commission in conjunction with the approval of the final master development plan. The guidelines shall include an appropriate combination of the following or equivalent design standards:

- a. Limit the % of homes which will have front entry garages, i.e., 25 – 40%.
- b. Limit the % of total home frontage which will be occupied by garage doors, i.e., 40%.
- c. Recess garages by at least 10 ft.
- d. 2 single-wide doors should be used rather than double-wide doors.
- e. Provide architectural amenities such as arches, columns, porticos and decorative lighting.

Pulte is proposing that 100% of the homes be front-entry. The percentage of the total home frontage which will be occupied by garage doors will be limited to 35%. At least 30% of the total homes constructed will have carriage style doors and shall be recessed from the front of the house by a minimum of 10 ft. The homes with garage doors not recessed a minimum of 10 ft. shall have decorative garage lighting. Greater limits are needed on front-entry garages along with better upgrades in order to be consistent with the other subdivisions in the area. Fountain Brooke is limited to 18% front-entry. Guthrie Place (not yet under-way) prohibits front-entry as does Autumn Creek.

The creek, which runs through the Norman Creek property, runs through Autumn Creek and has flooded with the recent flash floods. Residents of Autumn Creek are concerned that the development of Norman Creek could increase the flooding problems. The City Engineer is looking into the flooding problems, but expect residents of Autumn Creek to be present to express their concerns.

STAFF COMMENTS

Planning Department

1. In the Site Data Table, show existing and proposed zoning as SR-1 PD.
2. On the FDP, include a plan for the planned amenities.
3. On The Transportation Plan specifies a new east/west road from New Shackle Island Road to Saundersville Road through this property. This road is to be 3 lanes with bike lanes – 42 ft. of pavement, 66 ft. of right-of-way. This provides for a continuous turn lane. Such will be helpful with all of the driveways necessitated by the proposed narrow lots fronting on this street. However, a continuous turn lane may not be warranted. Rather, turn lanes at intersections only may be sufficient. Except at the intersections, the pavement width could be reduced from 42 ft. to 30 ft. – two 12 ft. lanes and two 3-ft. bike lanes. A traffic study should be performed to determine what is needed. There may be no point in having more than 50 ft. of right of way and two 12 ft. lanes going into Fountain Brooke since Macy Drive in Fountain Brooke only has two lanes. Likewise, Fountain Brooke Drive is only two lanes. But, Macy Drive to the east end of Norman Creek may need to be wider, unless it is not possible for this street to extend eastward through the steep slopes to Jenkin's Farm.

4. The Traffic Study should also assess the need for southbound left turn lane on Anderson Road at the entrance. We may need additional Right-of-Way for Anderson Road, i.e., 30 feet from center line.
5. The typical corner lot setback detail should be revised to reflect the required 20-ft side street setback rather than 18 ft. as shown.
6. Present house plans or provide design guidelines consistent with section 12.2 c, d & e of the Zoning Ordinance. Greater limits on front-entry garages are needed, along with better upgrades to the garages.
7. \$250 / lot fee required prior to recording Final Plat. \$900/ lot fee required with each building permit issued (for off-site street improvements)
8. A street should be provided between lots 34 & 35 and should extend to the south property line to provide a future street connection when this property develops. The current plan shows such a street along with lots on each side.
9. Consider shifting lots eastward to provide a more substantial landscape and stream buffer along Anderson Road (like Fountain Brook).

Submitted by Fred Rogers, Planning Director and Keith L. Free, MPA, AICP, Senior Planner
(September 1, 2016)

Public Works

1. In the initial clearing and grubbing phase of the Norman Creek development construct the sediment ponds to adequately address the water quality requirements and provide some additional retention capabilities. Payment in lieu will be considered for improvements on Anderson Lane outside of those required by the traffic study (i.e. sidewalk). The before mentioned comments will be addressed prior to construction plan approval.
2. The scope of the traffic study will be reviewed by Public Works staff prior to beginning work on the traffic study.

Submitted by Marshall Boyd, City Engineer (September 1, 2016)

Fire Department

1. No comment.

Submitted by Shelley Burwell, Fire Inspector (September 1, 2016)

Utility District

1. WHUD

Submitted by David Brigance, HUD Construction Supervisor (August 11, 2016)

SITE PLANS:

16-012-001: LAKE HAVEN – SITE PLAN: MOTION BY Atchley, seconded by Bristol, to approve Lake Haven – Site Plan, with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

STAFF COMMENTS

Planning Department

1. Remove 30' MBSL from plans.
2. Dwarf burford holly grows too large for use in foundation plantings. Use a smaller growing shrub that will not grow so large.
3. Change Green Giant arborvitae to American holly or similar. Maintain at least 15 feet from edge of house.
4. Little Gem magnolias should be spaced a minimum of 10 feet apart.
5. Continue with Little Gem magnolias in place of ligustrum. Plant 10 feet off edge of driveway or street pavement.
6. Instead of the Emerald Green Arborvitae, provide one ornamental tree (i.e. yoshino cherry, Chinese pistachio, or similar) at each side lot line.

Submitted by Fred Rogers, Planning Director (September 1, 2016)

Public Works

1. No comments at this phase.

Submitted by Marshall Boyd, City Engineer (September 1, 2016)

Fire Department

1. No comment.

Submitted by Shelley Burwell, Fire Inspector (September 1, 2016)

Utility District

1. Need 6 inch clean outs to be installed on the sewer services 10 foot from the sewer main.
2. The water main in the street is a 16 inch, not 12 inch.

Submitted by David Brigance, HUD Construction Supervisor (June 16, 2016)

SKETCH PLATS: None

PRELIMINARY PLATS: None

REZONING REQUEST: None

STAFF APPROVED PROJECTS:

16-094-001: CARMEN'S DAY SPA – SITE PLAN: The Hendersonville Regional Planning Commission acknowledged staff's approval of Carmen's Day Spa – Site Plan.

16-028-001: ASHCREST MULTI-FAMILY, LOT 49 – SITE PLAN REVISION: The Hendersonville Regional Planning Commission acknowledged staff's approval of Ashcrest Multi-Family, Lot 49 – Site Plan Revision.

OTHER:

RESOLUTION 2016-01

A Resolution Recommending Acceptance of the Dedication of the Completed Streets in Glenbrook North, Phase 2, Section 7, Lot 18, Hendersonville, Sumner County, Tennessee.

MOTION BY Atchley, seconded by Bryant-McCormick, to recommend to Board of Mayor and Alderman Resolution 2016-01 to accept the completed Streets in Glenbrook North, Phase 2, Section 7, Lot 18 , with all staff comments as listed below. Ames, Atchley, Bristol, Bryant-

McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

RESOLUTION 2016-02

A Resolution Recommending Acceptance of the Dedication of the Completed Streets in Meadows of Indian Lake, Phase 2, Hendersonville, Sumner County, Tennessee.

MOTION BY Atchley, seconded by Bryant-McCormick, to recommend to the Board of Mayor and Aldermen acceptance of Resolution 2016-2 accepting the dedication of the completed streets in the Meadows of Indian Lake, Phase 2, Hendersonville, Sumner County Tennessee. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

RESOLUTION 2016-03

A Resolution Recommending Acceptance of the Dedication of the Completed Streets in Windstar Bay, Phase 5A, Hendersonville, Sumner County, Tennessee.

MOTION BY Ames, seconded by Bryant-McCormick, to recommend to the Board of Mayor and Aldermen acceptance of Resolution 2016-03 accepting the dedication of the completed streets in Windstar Bay, Phase 5A, Hendersonville, Sumner County, Tennessee. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

Request for closure of street right-of-way adjacent to Lake Harbor Subdivision and Margaret Ann Kosloff property.

MOTION BY Atchley, seconded by Millsaps, to recommend to the Board of Mayor and Aldermen closure of dedicated right-of-way adjacent to Lake Harbor Subdivision and Margaret Ann Kosloff property. The Kosloff can continue to allow campers access to their property through their site. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

BREAK 7:50 -7:55 P.M.

Amend Vacation Rental Provisions of the Zoning Ordinance - Details

MOTION BY Ames, seconded by Lea to no longer allow vacation rentals as a conditional use in residential areas. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

MOTION BY Ames, seconded by Jenkins to allow vacation rentals as a Permitted Use in OTC and GC with Vacation Rentals having to conform to all regulations for commercial zoning; one parking space per 500 sq. ft. of vacation rental home will be required; all existing, applicable hotel/motel tax, sales tax, and business license requirements would apply to these commercial Vacation Rentals; and a Use and Occupancy Permit is also required. Ames, Bristol, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: Atchley and Bryant-McCormick. Absent: Pinson and Stringfellow. Motion carried.

MOTION BY Lea, seconded by Millsaps, to recommend to BOMA. Ames, Atchley, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: Bristol and Bryant-McCormick. Absent: Pinson and Stringfellow. Motion carried.

ADJOURNMENT:

MOTION BY Millsaps, seconded by Jenkins, to adjourn the Hendersonville Regional Planning Commission Meeting at 8:35 p.m. Ames, Atchley, Bristol, Bryant-McCormick, Freudenthal, Jenkins, Lea and Millsaps voted aye. Nay: None. Absent: Pinson and Stringfellow. Motion carried.

LORI ATCHLEY, Secretary

BOB FREUDENTHAL, Chairman

FRED D. ROGERS, JR., Planning Director